

REMARKS

Applicant thanks the Examiner for participating in the interview held on February 20, 2007. A proposed amendment of claim 1 was discussed. The Examiner suggested a further clarification of the amendment. It was agreed that, after this amendment as discussed, the prior art of record does not anticipate or suggest the present subject matter.

In response to the office action dated November 27, 2006, Applicants are amending claims 1, 6 and 20, and adding new claims 28-29. As such, claims 1-29 are pending, of which claims 1, 20 and 28 are independent claims. Favorable consideration of the amended claims is requested.

Claim 1 is being amended to recite “detecting whether at least two of the plurality of automated diagnostic procedures fail, and if so determining whether to address a dependency between the failing automated diagnostic procedures by changing an internal order between them” and that the priority information is updated “if it is determined to change the internal order”. These amendments are supported by the present disclosure, for example in the description of priority information on page 14, line 16—page 24, line 5 (hereafter referred to thus: 14:16—24:5). For example, it is there described that “failure of two or more checks at the same time may indicate that some or all of those checks are dependent on each other.” 21:8-10. Corresponding changes are being made in independent claim 20, which is a computer program product claim. Dependent claim 7 is being amended to clarify the updating of the priority information. This is supported by the description that greater weight may be given to the fact that a check eliminates an error, or that it causes an additional error, than to the fact that several checks failed simultaneously. 21:12-19. No new matter is added.

New independent claim 28 is based on original dependent claims 3 and 27, which were found allowable in the office action. Particularly, independent claim 28 has been written in computer-program product form reciting operations executable by a processor. New dependent claim 29 is based on dependent claim 19, the subject matter of which was also found allowable. No new matter is added.

Applicant appreciates the indication in the office action that dependent claims 3, 19 and 27 are allowable. As noted above, new claims 28-29 include subject matter from the claims that were found allowable. These new claims should therefore also be allowable.

In the office action, dependent claim 7 was rejected under § 112, second paragraph, due to the phrase "less significant". Applicant is amending this claim so that it does not use this phrase. Accordingly, it is requested that the rejection be removed. Applicant is not conceding that the rejection has merit.

Claims 1, 2, 4, 9, 11-18, 20, 21 and 24-26 were rejected under § 102(b) as being anticipated by U.S. 6,078,189 ("Noel"). Claims 5 and 22 were rejected under § 103(a) as being obvious over IBM Disclosure NNRD449113 ("IBM"). Claims 6 and 23 were rejected under § 103(a) as being obvious over Noel and IBM in view of U.S. 6,195,763 ("Mayer"). Claim 8 was rejected under § 103(a) as being obvious over Noel in view of U.S. 5,708,774 ("Boden"). Claim 10 was rejected under § 103(a) as being obvious over Noel in view of U.S. 20020116666 ("Perez").

These rejections are rendered moot by the amendments of the claims. Moreover, it was agreed in the interview that the claims as amended are not anticipated or suggested by the prior art of record. Therefore, favorable consideration of the amended claims is requested.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

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Respectfully submitted,

Date: _____

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